

Article - Natural Resources

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§1–109.

(a) (1) The Department shall negotiate the acquisition of real property for open space, recreation, conservation, and other purposes under this article.

(2) The Department shall make each acquisition under this subsection in the name of the State to the use of the Department.

(b) Except for real property that is acquired by gift, before any real property is acquired from a private owner, the Department shall obtain two independent appraisals of the property.

(c) (1) A contract for the acquisition of land under this section shall be approved and executed by the Board of Public Works.

(2) At least 40 days before the Board of Public Works may act on a land acquisition under this section, the Department shall give written notice of a potential acquisition of land:

(i) To the governing body of the county in which the land is located; and

(ii) If the land is located within a municipal corporation, to the governing body of the municipal corporation.

(3) Within 30 days after receiving notice under this subsection, the governing body may submit written comments to the Department.

(d) The Board of Public Works shall supervise the expenditure of any money that the General Assembly appropriates for the acquisition of land under this section.

(e) (1) Subject to paragraph (2) of this subsection, the Department may dispose of land owned and managed by the Department as consideration for the acquisition of land not owned by the Department.

(2) In implementing this subsection, the Department shall comply with the procedures established under Title 5, Subtitle 3 and Title 10, Subtitle 3 of the State Finance and Procurement Article.

(f) The Board of Public Works may exempt projects under this section from the provisions of this section.

(g) (1) The Department shall adopt regulations to implement this section.

(2) The regulations adopted under paragraph (1) of this subsection shall include a system for appraisal review developed by the Department in consultation with the Department of General Services.

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